

Art Unit: 1767

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lars Husebo on November 18, 2010.

The application has been amended as follows:

In claim 12, line 4, replace "wherein at least one of the amine or alcohol groups of the initiator has been reacted with an alkoxylating agent" with the following: --wherein the initiator is a compound comprising at least one alcohol or amine group that has been reacted with an alkoxylating agent--.

In claim 45, lines 2, 3, and 4 of Pg. 6, replace each instance of "A+A2+A3" with the following: --A1+A2+A3--.

The following is an examiner's statement of reasons for allowance:

Regarding claim 12, the closest prior art, Peerman et al. (EP 0 106 491) teaches a polyol based on a vegetable oil of formula:

Art Unit: 1767



as set forth in the Office Action mailed May 13, 2010. However, Peerman et al. does not teach or suggest that the core of the polyol (R) comprises polyether groups and has a number average molecular weight of at least about 625. Furthermore, a search of the prior art did not reveal a teaching or suggestion to make such a modification to the polyol of Peerman et al.

Regarding claim 45, Peerman et al. in view of Bahrmann et al. (CA 2,162,083) and when taken with Petrović et al. (Structure and Properties of Polyurethane Based on Halogenated and Nonhalogenated Soy-Polyols, *J. Polym. Sci., Part A: Polym. Chem.*, 2000, 38, 4062-4069) render obvious polyols of formulas (I) and (II) utilizing A1, A2, and A3 as set forth in the Office Action mailed May 13, 2010. However, the claimed ratios of A1, A2, and A3 to A1+A2+A3 and the claimed ratio of A2 to A3 are not disclosed by the references with sufficient specificity.

With regard to the declarations under 37 CFR 1.132, filed September 13, 2010, it is noted that said declarations were not relied upon as reasons for allowance of the instant claims. The Examples of Revised Declaration I and Declaration II do not hold constant the type of oil used for the comparative experiments (oil changes from soy to linseed to sunflower oil). Therefore, interpretation of the data with regards to the ratios of triols to diols is not possible as it is not clear if any difference is due to the ratio of triols to diols or the difference in the oil type used.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER F. GODENSCHWAGER whose telephone number is (571)270-3302. The examiner can normally be reached on Monday-Friday 7:30-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Eashoo can be reached on (571) 272-1197. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/P. F. G./
Examiner, Art Unit 1767

/Mark Eashoo/
Supervisory Patent Examiner, Art Unit 1767